IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE.

REVIEW PETITION NO. 87 OF 2006.
IN
CIVIL APPLICATION NO. 1189 OF 2006.
IN
WRIT PETITION NO. 5499 OF 2003.

The Joint Director, Health
Services and Family Planing. .. Petitioner.
V/s.
Indian Red Cross Society. .. Respondent.

Mr.A.A. Kumbhakoni, Associate Advocate General for the petitioner.

Mr. S.M. Gorwadkar for respondent Nos.1 & 2.

Smt. Seema Sarnaik for respondent Nos. 3 to 12.

CORAM : V.C.DAGA, J.

DATED : 17.7.2006.

P.C. :

. Heard learned Counsel appearing for the Revenue-petitioner-Applicant, who is seeking review of the order dated 20.4.2006 passed in Civil Application No. 1189/2006 in Writ Petition No. 5499/2003. Perused review petition with documents annexed thereto.

2. Mr. Kumbhakoni, learned Counsel appearing for the Review petitioner submits that the orders dated 18.3.2004 and 22.4.204 were obtained by original petitioner- Indian Red Cross Society and the respondents (employees of the society) from this Court in collusion with each other. He further submits that in view of the said collusive orders no

order dated 20.4.2006 directing execution of the said orders could have been passed by this Court. Mr. Kumbhakoni, thus, prays for review of the order in question.

3. Learned Counsel for the original petitioner and respondents strongly opposed this prayer contending that the order dated 18.3.2004 modified by order dated 22.4.2004 passed in Writ petition No. 5499/2003 having become final it is not open for the review petitioner to contend that the said orders are collusive. They urged that order of this Court dated 22.4.2004 being executory, the same cannot be touched so long as order dated 18.3.2004 modified by order dated 22.4.2004 are holding the field.

4. Having heard rival parties, submissions made in opposition need acceptance. No case is made out to review order dated 20.4.2006 by this Court which is nothing but an order by way of step in execution so as to execute earlier orders dated 18.3.2004 modified by an order dated 22.4.2004. Review petition is, thus, devoid of any substance. The same is dismissed with no order as to costs.

(V.C.DAGA,J.)